

Serious Incident Report (Act 78) Guide

Child Death, Serious Injury or Egregious Incident of Abuse or Neglect

Introduction

2009 Wisconsin Act 78 requires county agencies to notify the Department of Children and Families (DCF) in cases of child death, serious injury, or egregious incidents where abuse or neglect is suspected. Agencies are also required to notify DCF in cases where a child placed outside of the home is suspected to have committed suicide.

The county agency must use the statutory definitions of serious injury or egregious abuse or neglect to determine if a case qualifies for notification under Section 48.981(7)(cr), Wis. Stats. The agency must gather all information available about the incident and report the incident within two business days using the form Child Death, Serious Injury or Egregious Incident Notification (DCF-F-CFS2091-E). DCF will make a final determination if the reported case qualifies as an incident that requires public notification. Qualifying cases will be posted at http://dcf.wisconsin.gov/children/CPS/public_disclosure/default.htm by DCF. DCF must review each qualifying case and provide a 90-Day Summary Report to the Governor and appropriate standing committees. The completed summary report must also be made available to the public. The county agency and DCF will collaborate to review the case and produce the summary report.

This guide will assist you in identifying and taking necessary steps at various points in these serious cases. In all cases, the handling of reports of alleged maltreatment and service provision must comply with all current CPS practice Standards.

Sections:

Access Report, Initial Assessment, Ongoing Services & Case Review, and Create Case Work.

Access Report

When a report is received, you must identify if the case potentially qualifies as a child death, serious injury, or egregious incident of abuse or neglect. If the supervisor agrees that the case does qualify, then the agency has two working days to notify DCF of the incident.

The access report should be documented in eWiSACWIS in compliance with Standards. When a child death is reported and screened in at access, the fatality should be indicated on the Allegation (Access Report) pop-up page (accessed via the Allegation tab of the Access Report page) for the instance of maltreatment associated with the fatality.

Allegation (Access Report) -- Webpage Dialog

eWiSACWIS Print Spell Check Help

Allegation

Alleged Victim: Jones, Mary

[AM Relationship to Victim](#) Biological Parent(s)

Abuse/Neglect Code: Physical Abuse

[Description](#) Bruising - Internal Injury - Traumatic Brain Injury

Date or Approximate Date of Alleged Maltreatment: 10/10/2013

Alleged Maltreatment occurred while the child's residence was an OHC placement: ☐ Yes ☒ No ☐ Unknown

Serious Incident: ☒ Yes ☐ No

☒ Death / Alleged maltreatment [Details](#)

☐ Death / Alleged suicide OHC

☐ Serious injury [Details](#)

☐ Egregious incident [Details](#)

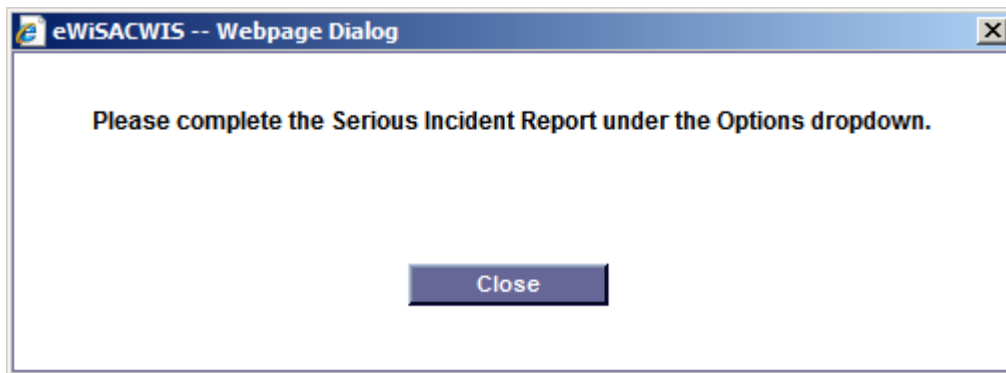
[DCF memo 2010-01](#) [Act 78](#)

Death Date: 10/10/2013

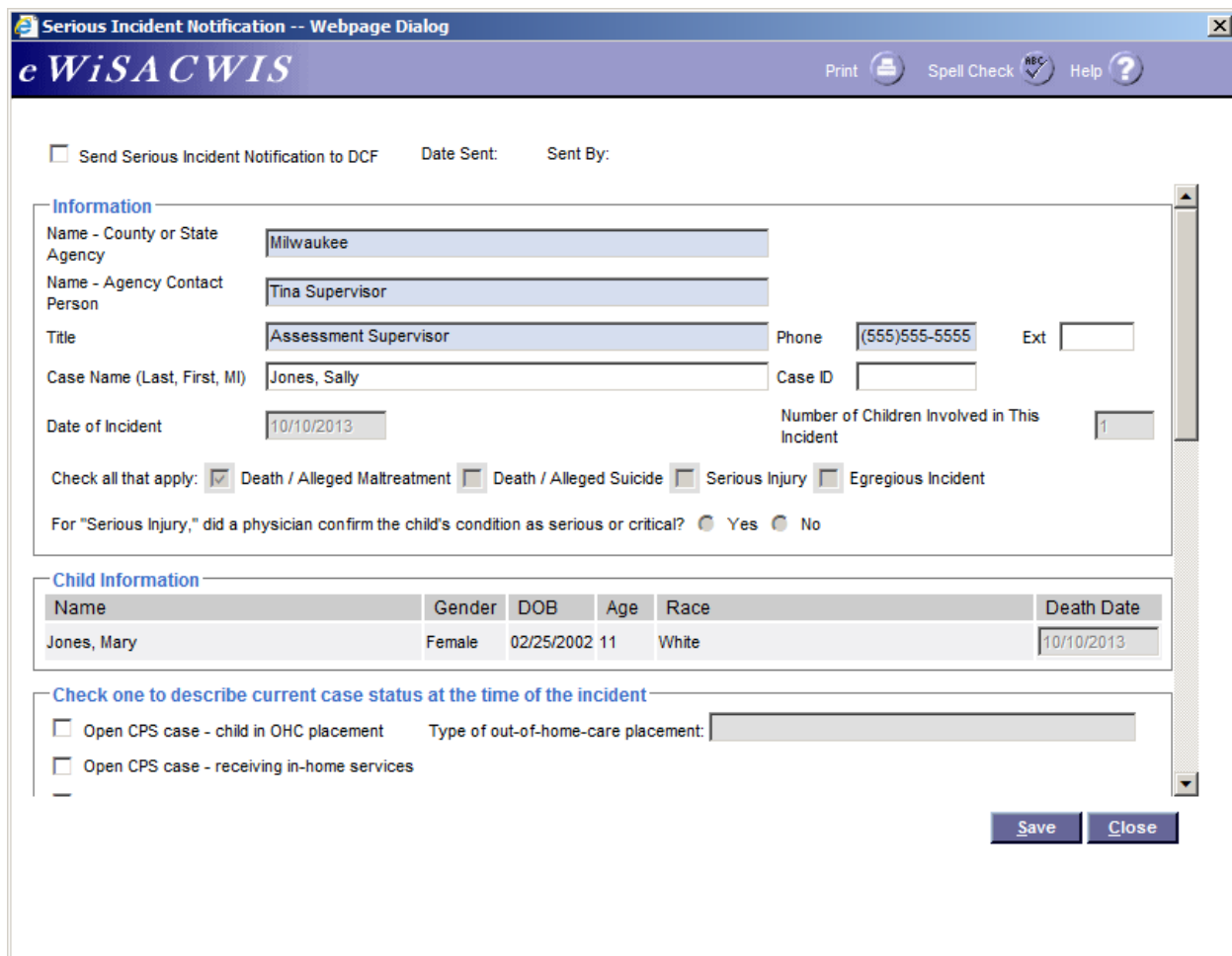
Continue Close

Note: If a death is indicated on the page then the Death Date field will appear. The death date is not required and will automatically update the death date field on person management when the Access Report is linked or a new case is created.

You will receive a message to complete the Serious Incident Report.



The Serious Incident Notification page is accessed via the Options drop-down of the Access Report page. Completing the Serious Incident Notification, checking the “Send Serious Incident Notification to DCF” checkbox, and clicking Save will trigger an e-mail notifying DCF of the serious incident.



☐ Send Serious Incident Notification to DCF Date Sent: Sent By:

Information

Name - County or State Agency:

Name - Agency Contact Person:

Title: Phone: Ext:

Case Name (Last, First, MI): Case ID:

Date of Incident: Number of Children Involved in This Incident:

Check all that apply: ☒ Death / Alleged Maltreatment ☐ Death / Alleged Suicide ☐ Serious Injury ☐ Egregious Incident

For "Serious Injury," did a physician confirm the child's condition as serious or critical? ☐ Yes ☐ No

Child Information

Name	Gender	DOB	Age	Race	Death Date
Jones, Mary	Female	02/25/2002	11	White	10/10/2013

Check one to describe current case status at the time of the incident

☐ Open CPS case - child in OHC placement Type of out-of-home-care placement:

☐ Open CPS case - receiving in-home services

Initial Assessment

If, during an open initial assessment, the child dies from the abuse or neglect identified in the initial CAN report, this should be documented in the Initial Assessment. You should answer 'Yes' to the Serious Incident field and identify either "Death/Alleged maltreatment" or "Death/Alleged suicide OHC" on the Allegations (Assessment) pop-up page (accessed via the Allegations tab of the Initial Assessment page) for the instance of maltreatment associated with the fatality.

Allegation (Assessment) -- Webpage Dialog

eWiSACWIS Print Spell Check ABC Help

Allegation

Alleged Victim: Mary Jones

Abuse/Neglect Code: Neglect

Description: Bruising

Determination: Pending

Date or Approximate Date of Alleged Maltreatment: 02/01/2012

Alleged Victim received medical treatment as a result of this alleged maltreatment: ☒ Yes ☐ No

Alleged Maltreatment occurred while the child's residence was an OHC placement: ☐ Yes ☒ No ☐ Unknown

Serious Incident: ☒ Yes ☐ No

☒ Death / Alleged maltreatment [Details](#)

☐ Death / Alleged suicide OHC

☐ Serious injury [Details](#)

☐ Egregious incident [Details](#)

[DCF memo 2010-01](#) [Act 78](#)

Death Date: 00/00/0000

[Save](#) [Close](#)

Note: If a death is indicated on the page then the Death Date field will appear. The death date is required and will automatically update the death date field on person management when the Assessment Report is completed.

If it is determined during the initial assessment that the maltreatment reported at access resulted in serious injury or death or qualifies as egregious abuse or neglect and DCF wasn't notified, the agency must report this to DCF using the Serious Incident Notification page located via the Options drop-down on the Results tab of the Assessment page. This must be completed within 2 working days of the agency becoming aware of the incident.

A child fatality may not be reported as a fatality in more than one CPS initial assessment. The assessment that follows an Access Report of the death of a child should only have one CPS Report with a checked fatality indicator and one Initial Assessment with a fatality indicated.

If during the initial assessment a new allegation of abuse or neglect is reported that resulted in serious injury or death or qualifies as egregious abuse or neglect, a new CPS report should be created documenting this allegation. DCF must be notified via the Serious Incident Notification page launched from the Options drop-down.

Ongoing Services or Case Review

If a child death, serious injury or egregious incident occurs during Ongoing Services, a new CPS report must be documented for the child. DCF must be notified as described above about the new incident.

If a child death is the result of an Alleged Suicide while the child is placed in out of Home Care, DCF must be notified via the Serious Incident Notification page launched from the Options drop-down on the Provider tab of the Out of Home placement page.

Create Case Work

There may also be circumstances where a Serious Incident Notification can be documented outside of an open Access Report, Assessment, or Out of Home Placement. A Serious Incident Notification can be created at any point in an open case via the Create Case Work page.

On the Create Case Work page, select Serious Incident Notification from the Assessment drop-down, select the case, select the participant(s), and click Create.

The screenshot shows the 'Create Case Work' page in a Windows Internet Explorer browser. The page has a purple header with the 'eWiSACWIS' logo and navigation links for Print, Spell Check, and Help. On the left, a 'Create Case Items' sidebar lists various categories with icons: Administration, Adoption, Agreements/Notices, Assessment (selected), Case/Perm Plan, Education, Eligibility, ICPC, ICWA, Imaging, Legal, Narrative, Payment, Permanency Consult, Placement/Services, Planning, Safety Assessment, Safety Services, and Strengths and Needs. The 'Assessment' dropdown is set to 'Serious Incident Notification'. The main area is divided into two sections: 'Cases' and 'Case Participants'. The 'Cases' list includes: Abby, Angel A. (9221757), Abby, Angel A. (9221886), Abby, Art J. (9221155), Abby, Art J. (9221326), Adopted, Alvin L. (9221301), Adopted, Annie (9221302), Adopted, Annie (9221314), Adopted, Mom (9221311), Adoption, Alvin (9221298), Adoptiontest, Agatha Z. (9221310), Ash, Anna (20238), and Ashland, Frida (9221256). The 'Case Participants' section includes a note to hold down the 'Ctrl' key for multi-selection and a list of participants: Berry Baron, Biological Child (9225998), Bettina Baron, Biological Child (9225999), Bart Barron, Biological Child (9226000), and Angel Abby A., Reference Person (9226396). At the bottom right of the main area are 'Create' and 'Close' buttons. The browser's status bar at the bottom shows 'Done', 'Trusted sites', 'Protected Mode: Off', and a zoom level of 100%.

If the case already has a pending Initial Assessment, you will receive this message:

The screenshot shows a dialog box titled 'eWiSACWIS -- Webpage Dialog'. The text inside the dialog box reads: 'A pending Initial Assessment exists for this case. The Serious Incident Notification can also be created using the pending Initial Assessment. If the Serious Incident is related to the pending Assessment please launch it from the Assessment. Would you like to continue?'. At the bottom of the dialog box are two buttons: 'Yes' and 'No'.

If the serious incident is related to the pending Initial Assessment, select 'No' to launch it from the assessment. If the serious incident is not related to the pending Initial Assessment, select 'Yes' to create a new Serious Incident Notification.

Complete the Serious Incident Notification as identified above.

Checking the "Send Serious Incident Notification to DCF" checkbox and clicking Save will trigger an e-mail notifying DCF of the serious incident.

The screenshot shows a web browser window titled "Serious Incident Notification - Windows Internet Explorer". The page header includes the "eWiSACWIS" logo and navigation links for "Print", "Spell Check", "Help", and a question mark icon. The main form area contains the following sections:

- Send Serious Incident Notification to DCF:** A checkbox is present, followed by "Date Sent:" and "Sent By:" labels.
- Information:** A section with various input fields:
 - Name - County or State: Milwaukee
 - Name - Agency
 - Name - Agency Contact Person
 - Title
 - Phone
 - Ext
 - Case Name (Last, First, MI): Jones, Sally
 - Case ID: 9222753
 - Date of Incident: 00/00/0000
 - Number of Children Involved in This Incident: 2
- Check all that apply:** Radio buttons for "Death / Alleged Maltreatment" (checked), "Death / Alleged Suicide", "Serious Injury", and "Egregious Incident".
- For "Serious Injury," did a physician confirm the child's condition as serious or critical?:** Radio buttons for "Yes" and "No".
- Child Information:** A table with columns: Name, Gender, DOB, Age, Race, and Death Date.

Name	Gender	DOB	Age	Race	Death Date
Jones, Mary	Female	02/25/2002	11	White	00/00/0000
Jones, Robert	Male	10/03/2012	1	White	00/00/0000
- Check one to describe current case status at the time of the incident:** A radio button for "Open CPS case - child in OHC placement" is present, followed by a "Type of out-of-home-care placement:" label and an input field.

At the bottom right of the form are "Save" and "Close" buttons. The browser status bar at the bottom indicates "100%" zoom.

Note: If a death is indicated on the page then the Death Date field will appear. The death date is not required and will automatically update the death date field on person management when the Serious Incident is sent to DCF.

Completing the 90-Day Summary Report for Child Death, Serious Injury or Egregious Incident

Once DSP has identified that an incident qualifies as a serious incident, eWiSACWIS automatically generates a 90-Day Summary Report Serious Incident tickler on the Primary worker's desktop. The tickler due date is 60 days from the date DSP indicates 'Yes' under the Serious Incident Verification expando on the Serious Incident Notification screen.

1. To launch the 90-Day Summary Report, open the associated Serious Incident Notification under the case (either from Access Reports or Assessment). On the Serious Incident Notification page, select 90-Day Summary Report from the Options drop-down and click Go. This opens the 90-Day Summary page.

The screenshot shows the 'Serious Incident Notification -- Webpage Dialog' window in eWiSACWIS. The form is divided into several sections: 'Information', 'Child Information', and a section for describing the current case status. The 'Information' section includes fields for Name - County or State Agency (Milwaukee), Name - Agency Contact Person (Sarah Smith), Title (Case Worker), Case Name (Last, First, MI) (Jones, Sally), Date of Incident (02/01/2012), Case ID (9222753), and Number of Children Involved in This Incident (1). There are checkboxes for 'Death / Alleged Maltreatment' (checked), 'Death / Alleged Suicide', 'Serious Injury', and 'Egregious Incident'. A question asks if a physician confirmed the child's condition as serious or critical, with 'Yes' selected. The 'Child Information' section is a table with columns: Name, Gender, DOB, Age, Race, and Death Date. The row shows: Jones, Mary, Female, 02/25/2002, 11, White, 02/01/2012. The 'Check one to describe current case status at the time of the incident' section has two options: 'Open CPS case - child in OHC placement' (unchecked) and 'Open CPS case - receiving in-home services' (checked). At the bottom, there is an 'Options' dropdown menu with 'Action' and '90-Day Summary Report' as options, a 'Go' button, and 'Save' and 'Close' buttons.

Serious Incident Notification -- Webpage Dialog

eWiSACWIS Print Spell Check ABC Help ?

☒ Send Serious Incident Notification to DCF Date Sent: 10/11/2013 Sent By: Cake, Caitlin M.

Information

Name - County or State Agency: Milwaukee

Name - Agency Contact Person: Sarah Smith

Title: Case Worker Phone: (555)555-5555 Ext:

Case Name (Last, First, MI): Jones, Sally Case ID: 9222753

Date of Incident: 02/01/2012 Number of Children Involved in This Incident: 1

Check all that apply: ☒ Death / Alleged Maltreatment ☐ Death / Alleged Suicide ☐ Serious Injury ☐ Egregious Incident

For "Serious Injury," did a physician confirm the child's condition as serious or critical? ☒ Yes ☐ No

Child Information

Name	Gender	DOB	Age	Race	Death Date
Jones, Mary	Female	02/25/2002	11	White	02/01/2012

Check one to describe current case status at the time of the incident

☐ Open CPS case - child in OHC placement Type of out-of-home-care placement:

☒ Open CPS case - receiving in-home services

Options: Go

Action
90-Day Summary Report

Save Close

2. Complete the 90-Day Summary Report. Child information will pre-fill from the child initially identified in the Serious Incident Report but is modifiable here.

90-Day Summary Report -- Webpage Dialog

eWiSACWIS TM Print Spell Check Help ?

Information

Case: [Jones, Sally \(9222753\)](#) Tracking No: 123456789

County

☐ Send 90-Day Summary Report to DCF Date Sent: Sent By:

Date of incident: 02/01/2012 County or State Agency: Milwaukee

Child Information (at the time of incident)

DOB: 02/25/2002	Age: 12	Gender: Female	Delete	Row 1 of 1
Race: White	Ethnicity: Italian	Hispanic/Latino: No		
Race:	Indian Tribe:	Indian Tribe2:		
Race:	Special Needs:			
Race:				
Race:				

[Insert](#)

Description of the incident, including the suspected cause of death, injury or egregious abuse or neglect:

[More...](#) [Less...](#) [Default](#)

Findings by agency, including maltreatment determination and material circumstances leading to incident:

[More...](#) [Less...](#) [Default](#)

Options: [Go](#) [Save](#) [Close](#)

- Once all required fields have been completed and you are ready to submit the report to DCF check the send 90-Day Summary Report to DCF checkbox.

90-Day Summary Report -- Webpage Dialog

eWiSACWIS TM Print Spell Check REC Help ?

Information

Case: [Jones, Sally \(9222753\)](#) Tracking No: 123456789

County

☒ Send 90-Day Summary Report to DCF Date Sent: Sent By:

Date of incident: 02/01/2012 County or State Agency: Milwaukee

Child Information (at the time of incident)

DOB: 02/25/2002	Age: 12	Gender: Female	Delete	Row 1 of 1
Race: White	Ethnicity: Italian	Hispanic/Latino: No		
Race:	Indian Tribe:	Indian Tribe2:		
Race:	Special Needs:			
Race:				
Race:				

[Insert](#)

Description of the incident, including the suspected cause of death, injury or egregious abuse or neglect:

[More...](#) [Less...](#) [Default](#)

Findings by agency, including maltreatment determination and material circumstances leading to incident:

[More...](#) [Less...](#) [Default](#)

Options: [Go](#) [Save](#) [Close](#)

- The page will freeze and an e-mail is sent to DCF to notify them that a report has been submitted. (This will delete the 90-Day Summary Report Tickler)

5. Launch the 90-Day Summary Report template from the Options dropdown. There is nothing that needs to be entered on the template.

☐ Placement into foster home

☐ Case remains open for services

☐ Placement with relatives

☐ Case closed by agency

☐ Ongoing Services case management

☐ Initiated efforts to address or enhance community collaboration on CA/N cases

☐ Other (describe):

Options: **90-Day Summary Report** **Go** **Save** **Close**

90-Day Summary Report for Child Death, Serious Injury or Egregious Incident

Reports submitted to the Division of Safety and Permanence (DSP) that do not include all of the required information will be returned to the agency for proper completion. Do not identify individuals by name when completing this report. Individuals may be referenced by relationship or position; e.g., mother, father, child, sibling, physician, detective, etc.

Case Tracking Number: 4 Agency: Milwaukee

Child Information (at time of incident)

Age: 11 Gender: ☒ Female ☐ Male

Race or Ethnicity: White, Italian

Special Needs:

Date of Incident: 06/03/2013

Description of the incident, including the suspected cause of death, injury or egregious abuse or neglect:
describe the alleged maltreatment...

Findings by agency, including maltreatment determination and material circumstances leading to incident:

☐ Yes ☐ No Criminal investigation pending or completed?
☐ Yes ☐ No Criminal charges filed? If yes, against whom?

Child's residence at the time of incident: ☐ In-home ☐ Out-of-home care placement

Complete the appropriate following section (A. or B. based on the child's residence at the time of the incident).

A. Children residing at home at the time of the incident:

Description of the child's family (includes household members, noncustodial parent and other children that have visitation with the child and / or in the child's family home):

☐ Yes ☐ No Statement of Services: Were services under ch. 48 or ch. 938 being provided to the child, any member of the child's family or alleged maltreater at the time of the incident, including any referrals received by the agency or reports being investigated at time of incident?

If "Yes", briefly describe the type of services, date(s) of last contact between agency and recipient(s) of those services, and the person(s) receiving those services:

Summary of all involvement in services as adults under ch. 48 or ch. 938 by child's parents or alleged maltreater in the previous